FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE

CRIMINAL REVISION APPLICATION NO.397 OF 2004

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders

Mr.Ejaz Khan for the applicant.

Mr.Chetan Akerkar for Respondent no.1.

Mr.D.R.More, APP for the State.

Coram : R.S.Mohite,J

Date : 20.02.2006.

PC

1. This is an application impugning an order passed by the Special Judge, Kalyan on 2.7.2004 directing the return of 3 bank pass-books to the present respondent no.1. It is seen that in the operative part of the order itself, Special Judge mentioned that if the prosecutor is of the opinion that the amounts in the bank accounts of the applicant are concerning disproportionate assets, the CBI could attach the accounts if any such crime is registered. I am informed that

subsequently crime was registered and accounts are attached. That rendered the present application academic. In the circumstances, I am not inclined to entertain this application and the same stands dismissed. There will be liberty to the applicant to apply for return of the property or defreezing of property in accordance with law in the crime which has been registered.

(R.S.Mohite,J)